

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,

vs.

SAMUEL DELGADO,
Defendant

Crim. No. 97-082 (SEC)

MOTION REQUESTING CONTINUANCE OF REVOCATION HEARING

TO THE HONORABLE SALVADOR E. CASELLAS,
SENIOR UNITED STATES SENIOR JUDGE
FOR THE DISTRICT OF PUERTO RICO

COMES NOW, *Mr. Delgado*, the defendant herein, represented by the Federal Public Defender for the District of Puerto Rico, and before this Honorable Court respectfully states and prays:

1. The revocation hearing as to Mr. Delgado is scheduled for November 9th, 2007 at 9:00 a.m.
2. According to the Motion Requesting An Order to Show Cause and Issuance of a Warrant (hereinafter "Revocation Motion") filed by Probation Officer Malissa Aponte, Mr. Delgado has incurred in new criminal conduct for which he was arrested at the state level on two occasions.
3. Mr. Delgado is facing charges for controlled substances violation and, according to information provided to the undersigned, is awaiting trial which is scheduled for today November 8th, 2007. Furthermore, according to Mr. Concepción, he is undergoing plea negotiations at the state level.
4. Mr. Delgado acknowledges that this Court may revoke his supervise release based on criminal conduct without a conviction from the state Court. However, Mr. Delgado understands that this Court will be in a better position to assess the violations alleged by Probation Officer Aponte, once the Local Courts make a final determination as to Mr. Delgado's guilt to the charges he is facing, first.
5. In addition, on November 9th, 2007, the undersigned is required to attend a C.L.E. Appellate Seminar sponsored by the US Court of Appeals 1st Circuit.
6. For the aforementioned reasons, the undersigned requests this Honorable Court to continue

the revocation hearing until Mr. Delgado's state criminal prosecution concludes. Should the Court grant the afore mentioned request, the undersigned will keep the Court abreast of the status of the state case.

WHEREFORE, it is respectfully requested that this Honorable Court reschedules the revocation hearing after Mr. Delgado's state criminal prosecution concludes.

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to the parties of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, November 8th, 2007.

JOSEPH C. LAWS, JR.
FEDERAL PUBLIC DEFENDER
FOR THE DISTRICT OF PUERTO RICO

S/Max Pérez-Bouret
MAX PÉREZ-BOURET
USDC-PR 222612
AFPD for Defendant
241 Franklin D. Roosevelt Avenue
San Juan, PR 00918-2441
Tel. (787) 281-4922
Fax (787) 281-4899
E-mail : Max_Pérez@fd.org